SUPREME COURT, U. S.

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JOHN F. DAVIS, CLERK

SUPREME COURT OF THE UNITED STATES

No. [redacted] 68, October Term, [redacted] 1969

HARRY LAIKIND,

Appellant,

vs.

ATTORNEY GENERAL OF THE STATE OF NEW YORK

JURISDICTIONAL STATEMENT.

Victor Konow,
A Member of the Bar of the Supreme Court of the United States,
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261 Broadway,
New York, N. Y. 10007.

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SUPREME COURT OF THE UNITED STATES

No. --------, October Term, 1968

HARRY LAIKAND,

Appellant,

vs.

ATTORNEY GENERAL OF THE
STATE OF NEW YORK

JURISDICTIONAL STATEMENT

1.(a) The opinions and official reports for this case are:

Court of Appeals,
22 New York Reports, 2d 346.
Exhibit 2B in appendix

Appellate Division of the
Supreme Court,
28 App. Div. 2d 884.

Surrogate's Court,
50 Misc. 2d 1096.

(b)(i) Appellant, a judgment creditor, has been denied satisfaction of his judgment from a fund on deposit for a Russian judgment debtor on the premise that a New York State Statute (SCPA 2218, subsequently amended, June 22, 1968), in substance similar to an unconstitutional Oregon Statute (Ore. Rev. Stat. § 111.070, 1965), without its reciprocity and escheat

provisions; is constitutional. The proceeding was brought by the judgment creditor to compel the Director of Finance of the City of New York pursuant to CPLR 5225 to pay the judgment from the fund on deposit with him.

(b)(ii) The date of judgment and its entry is June 14, 1968. - Exhibit 2A in appendix.

The date of the order denying a rehearing is October 17, 1968. - Exhibit 2C in appendix.

The notice of appeal from the judgment was docketed in the Surrogate's Court on July 15, 1968.

The notice of appeal from

the judgment, after denial of a rehearing, was docketed in the Surrogate's Court on the 15 day of November, 1968.

(b)(iii) The statutory provision believed to confer on this court jurisdiction of the appeal is 28 USC § 1257 (2).

(b)(iv) The cases believed to sustain the jurisdiction are:

Zschernig v. Miller,
389 U. S. 429
Due Process and Equal Protection

Bibb v. Navajo Freight Lines, Inc.,
359 U. S. 520
Reinvocation of Jurisdiction

California Comm'n. v. United States,
355 U. S. 534
Conflict Between a State Statute and a Federal Regulation

(b)(v) SCPA (Surrogate's Court Procedure Act) Art. 22 - 2218 - Exhibit 1 in appendix.

(c) The questions presented by this appeal are:

Is the State statute, as amended, constitutional in whole or in part?

Is the State statute, as amended, constitutional as applied to the judgment creditor in the facts and circumstances of this case in whole or in part?

May the State, by statute, adopt a Federal Regulation and then, by retaining other provisions of the act restrict, limit or avoid its effectiveness?

May a State, by statute, take

inconsistent positions among nations with whom we have similar consular treaties concerning the transmittal of funds to their nationals?

Is the State's interest in statutory restraint of funds due Russian nationals supported by an overriding right of sufficient substance so that the most weighty and substantial purposes of the treaty between the government of the United States of America and the government of the Union of Soviet Socialist Republics, are to be made subordinate to it?

(d) Appellant is a judgment creditor of Dvareh Kaminsky, for whose benefit

funds were deposited in the name of "Davaireh Kaminsky", a Russian resident. The funds, placed in statutory restraint were paid over to the City Director of Finance. Appellant, by order of attachment, attached the funds, served a summons and verified complaint by publication and entered a default judgment on May 18,1964 in the sum of $7,308.00. Execution was issued to the sheriff. The City Director of Finance refused to honor it. The funds still are in his possession pursuant to statutory restraint.

The due process and equal protection clauses were raised in the Appellate Division by brief and at the

argument. The issue was not passed upon by the court.

The due process and equal protection provisions were raised again in the Court of Appeals by brief. The Court of Appeals, in its majority opinion, at page 350, in passing upon the issue, said:

> "Petitioner argues that in view of the recent Supreme Court decision in Zschernig v. Miller (389 U. S. 429, decided Jan. 15, 1968), holding unconstitutional an Oregon statute somewhat similar to New York's statute, there is no basis for defying the release of the funds." - - -
>
> "There are two issues: (1) whether the impounding of the funds here violated the Federal Constitution under the ruling of the Zschernig case; and (2) whether the Surrogate's finding that the default judgment could not support a release of the funds was an abuse of discretion. It

> is concluded that the impounding of the funds was not unconstitutional,- - -".

On the motion for rehearing, the supremacy clause was raised in the supporting brief. The issue was not passed upon by the court.

(e) The federal questions presented in (c) above are substantial because they will bring up matters for this court's consideration such as; the bridging of information gaps with the Soviet Union, making State Statutes similar to the one involved here anachronisms, by discarding their patterns for disposition of funds to Russian nationals and the ill feelings that go with them.

When statutes such as these are taken from our books, a good judgment against a Russian resident will not lose its equal protection in parity of collection.

In substance, the statute, as a creature of hostility, (which the treaty is not), does not lend itself to the subtleties of perfumed constructions nor to sweet talk and light amendments for constitutional sustenance.

Dated: March 12th, 1969

Respectfully submitted,

Victor Konow
A Member of the Bar of the Supreme Court of the United States, Counsel, at the offices of Edward Pious, 261 Broadway, New York, N.Y. 10007.

APPENDIX

EXHIBIT 1

§ 2218. Deposit in court for benefit of legatee, distributee or beneficiary

1. (a) Where it shall appear that an alien legatee, distributee or beneficiary is domiciled or resident within a country to which checks or warrants drawn against funds of the United States may not be transmitted by reason of any executive order, regulation or similar determination of the United States government or any department or agency thereof, the court shall direct that the money or property to which such alien would otherwise be entitled shall be paid into court for the benefit of said alien or the person or persons who thereafter may appear to be entitled thereto. The money or property so paid into court shall be paid out only upon order of the surrogate or pursuant to the order or judgment of a court of competent jurisdiction.

(b) Any assignment of a fund which is required to be deposited pursuant to the provisions of paragraph one (a) of this section shall not be effective to confer upon the assignee any greater right to the delivery of the fund than the assignor would otherwise enjoy.

2. Where it shall appear that a beneficiary would not have the benefit or use or control of the money or other property due him or where other special circumstances make it desirable that such payment should be withheld the decree may direct that such money or property be paid into court for the benefit of the beneficiary or the person or persons who may thereafter appear entitled thereto. The money or property so paid into court shall be paid out only upon order of the court or pursuant to the order or judgment of a court of competent jurisdiction.

3. In any such proceeding where it is uncertain that an alien beneficiary or fiduciary not residing within the United States, the District of Columbia, the Commonwealth of Puerto Rico or a territory or possession of the United States would have the benefit or use or control of the money or property due him the burden of proving that the alien beneficiary will receive the benefit or use or control of the money or property due him shall be upon him or the person claiming from, through or under him.

EXHIBIT 2A
COURT OF APPEALS

PLEAS in the Court of Appeals, held at Court of Appeals Hall, in the City of Albany, on the 14th. day of June in the year of our Lord one thousand nine hundred and sixty-eight, before the Judges of said Court.

WITNESS,

The HON. STANLEY H. FULD,
Chief Judge, Presiding.
RAYMOND J. CANNON, Clerk.

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2. No. 152. 68

In the Matter of
the Petition of Harry Laikind,
to render and settle his Account
as Administrator of Sam Leikind,
Deceased,

Appellant-Respondent,

vs.

Attorney General of the State of
New York,

Respondent-Appellant,

Davareh Kaminsky, & ors., & c.,

Defendants.

BE IT REMEMBERED, That on the 22nd. day of March in the year of our Lord one thousand nine hundred and sixty-eight, Harry Laikind, the appellant-respondent in this cause, came here unto the Court of Appeals, by Edward Pious, his attorney-, and filed in the said Court a Notice of Appeal and return thereto from the order of the Appellate Division of the Supreme Court in and for the Second Judicial Department. And Attorney General of the State of New York, the respondent-appellant in said cause, afterwards appeared in said Court of Appeals by Louis J. Lefkowitz, Attorney General, pro se, and also filed a Notice of Appeal.

Which said Notices of Appeal and the

return thereto, filed as aforesaid, are hereunto annexed.

WHEREUPON, The said Court of Appeals, this cause having been submitted, after due deliberation had thereon, did order and adjudge that the order of the Appellate Division of the Supreme Court appealed from herein be and the same hereby is reversed and the matter remitted to the Surrogate's Court for further proceedings in accordance with the opinion herein, with costs to abide the event.

And it was also further ordered, that the record aforesaid, and the proceedings in this Court, be remitted to the Surrogate's Court, Kings County, there to be proceeded upon according to law.

THEREFORE, it is considered that the said order be reversed &c., as aforesaid.

And hereupon, as well the Notices of Appeal and return thereto aforesaid as the judgment of the Court of Appeals aforesaid, by it given in the premises, are by the said Court of Appeals remitted into the Surrogate's Court, Kings County, before the Surrogate thereof, according to the form of the statute in such case made and provided, to be enforced according to law, and which record now remains in the said Surrogate's Court, before the Surrogate thereof, & c.

SEAL OF
STATE OF NEW YORK
COURT OF APPEALS

s/ RAYMOND J. CANNON
Clerk of the Court of Appeals of the State of New York.

EXHIBIT 2B

BREITEL, J. Petitioner appeals, and the Attorney-General cross-appeals, from an order of the Appellate Division, which reversed in a memorandum opinion (one Justice dissenting), a decree of the Surrogate's Court, Kings County, declining to release certain impounded funds. Involved is the effect of former section 269-a of the Surrogate's Court Act (now SCPA 2218), which provided that where the beneficiary of a decedent estate "would not have the benefit or use or control of the money or other property due him," such property is to be paid into court "for the benefit of [such beneficiary] or such person or persons who may thereafter appear to be entitled thereto."

Petitioner applied to the Surrogate's Court for an order directing that a default judgment he had previously obtained in the Supreme Court, Kings County, against Dvaireh (or Davareh as in the title) Kaminsky, a resident of the Soviet Union and a distributee of the decedent estate of one Sam Leikind, be satisfied out of funds deposited with the Director of Finance of the City of New York pursuant to the above statute. The Surrogate denied relief and the Appellate Division reversed, but granted a stay to allow the Attorney-General to seek appropriate relief in the Supreme Court from the default judgment. Petitioner appeals from so much of the Appellate Division order as granted the stay; the Attorney-General appeals from so much of the order as reversed the Surrogate's decree.

Dvaireh Kaminsky's share of the estate of Sam Leikind had been deposited with the Director of Finance pursuant to a decree of the Surrogate's Court dated October 19, 1961. Subsequent to this decree, petitioner, a brother of decedent and Dvaireh, who was also the administrator of the estate, brought an action against Dvaireh in the Supreme Court for money owed. His claim was apparently based on a letter he had received from his sister which acknowledged her prior promise to repay money he had previously sent her and suggested that he try to obtain the money out of her inheritance. Jurisdiction over Dvaireh in the action was obtained by attachment of the funds on deposit and service was effected through publication. No answer or appearance was interposed. Judgment on default was entered on May 18, 1964 in the sum of $7,308.

Petitioner sought to satisfy the judgment out of the impounded funds but the Director of Finance refused to honor the Sheriff's levy. Petitioner then moved in the Supreme Court for an order requiring the Director of Finance to release the funds. The motion was denied, with leave to petitioner to apply to the Surrogate for such an order. In denying the application to him the Surrogate held that the effort to procure the funds was intentionally evasive of the statute, and that, in any event, since Dvaireh had no power to obtain the funds, she also lacked power to accomplish their reach by another. The Appellate Division held that the impounded funds were subject to attachment and that the Attorney-General, in effect, was mounting a collateral attack on the Supreme Court judgment.

Petitioner argues that in view of the recent Supreme Court decision in *Zschernig* v. *Miller* (389 U. S. 429, decided Jan. 15, 1968), holding unconstitutional an Oregon statute somewhat similar to New York's statute, there is no basis for denying the release of the funds. The Attorney-General, on the other hand, contends that (1) the default judgment constituted an evident attempt to evade the statute and was, therefore, a nullity; (2) *Zschernig* v. *Miller* is inapplicable to the New York statute; and (3) in any event, the constitutionality of the New York statute is not properly raised for the first time in this court.[1]

There are two issues: (1) whether the impounding of the funds here violated the Federal Constitution under the ruling of the *Zschernig* case; and (2) whether the Surrogate's finding that the default judgment could not support a release of the funds was an abuse of discretion. It is concluded that the impounding of the funds was not unconstitutional, but the matter should be remanded to the Surrogate for a hearing and further findings as to the effect to be given the default judgment.

In *Zschernig* v. *Miller* (*supra*) the Supreme Court considered the constitutionality of an Oregon statute similar in some respects to the New York statute. Oregon's statute provided for escheat of property claimed by a nonresident alien distributee of an estate unless (1) American citizens had a right to take property in the foreign country on the same terms as

1. But see Cohen and Karger, Powers of the New York Court of Appeals, §§ 168, 169.

residents of the foreign country; (2) American citizens had a reciprocal right to receive funds from estates in the foreign country; and (3) the foreign distributee would have the "benefit, use or control" of property from the estate of the American deceased. The Supreme Court found that in applying each of the requirements the Oregon courts had improperly intruded into the field of foreign affairs reserved to the Federal executive and legislature.

The majority opinion deliberately refrained from re-examining its decision in *Clark* v. *Allen* (331 U. S. 503), which had held that a California statute, containing a reciprocity requirement similar to that in Oregon, was not unconstitutional on its face. Of *Clark* v. *Allen* (*supra*) it said, "The case seemed to involve no more than a routine reading of foreign laws" (389 U. S., *supra*, p. 433). It observed, however, that under the Oregon statute the courts had in fact "launched inquiries into the type of governments that obtain in a particular foreign nation" and had conducted "minute inquiries concerning the actual administration of foreign law" (*id.*, pp. 434, 435). It concluded, therefore, that the application of the Oregon statute resulted in an unconstitutional involvement by the State in foreign affairs. There was no explicit condemnation of the statute on its face.

Despite some similarities, the Oregon and New York statutes are different. The New York statute, unlike the one in Oregon, contains no provision for reciprocity or escheat. The acceptance of a reciprocity provision in *Clark* v. *Allen* (*supra*), evidently reaffirmed in the *Zschernig* case, is, therefore, of little help in resolving the issues in this case. On the other hand, the absence of an escheat provision in the New York statute, even though the Oregon escheat provision was not discussed or made a ground of decision by the Supreme Court, may be of critical importance in sustaining the validity of New York's statute, at least on its face.

Moreover, the majority opinion in the *Zschernig* case, in accepting the constitutionality of "reciprocity," "arguably accepted "benefit, use or control" provisions as valid, provided State courts did no more than "routinely read" foreign laws and provided there was no palpable interference with foreign

relations in their application.[2] Thus, if the courts of this State, in applying the "benefit or use or control" requirements, simply determine, without animadversions, whether or not a foreign country, by statute or otherwise, prevents its residents from actually sharing in the estates of New York decedents, the statute would not be unconstitutional under the explicit rationale of the *Zschernig* case. Indeed, petitioner has made no showing that the lower courts in this case have currently engaged in the conduct criticized, and additionally illustrated in the footnotes of the *Zschernig* case, as interference with foreign relations. Consequently, there is no present warrant to reconsider the earlier rulings of this court sustaining the constitutionality of the statutes which preceded the present one (*Matter of Marek*, 11 N Y 2d 740, app. dsmd. *sub nom. Ioannou v. New York*, 371 U. S. 30 [for want of a substantial Federal question];[3] *Matter of Braier*, 305 N. Y. 148, 156, app. dsmd. *sub nom. Kalmane v. Green*, 346 U. S. 802).

Thus, the impounding of Dvairch's share in the estate was not proscribed under the principles thus far made explicit in the *Zschernig* and *Clark* cases. Nevertheless, the applicable New York statute does not necessarily require that the funds be restricted until it is determined that the beneficiary himself

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2. Although the sweep of the opinion might suggest to some that in a later case the court might hold that in reality no such statute could ever be restricted to a "routine reading". (Also, see concurring opn. by STEWART and BRENNAN, JJ., finding the Oregon statute unconstitutional on its face [389 U. S. 429, 442].)

3. The Supreme Court recently entertained an application by the petitioner in *Ioannou v. New York* (*supra*) for rehearing and asked the State Attorney-General to file an answer (36 U. S. Law Week 3390). The petition has since been denied on representations by the State Attorney-General as to further procedure available in the State (36 U. S. Law Week 3463; *New York Times*, June 4, 1968, p. 74, col. 4). It must be noted that certain of the examples cited by the Supreme Court in the *Zschernig* case as prohibited conduct purportedly occurred in New York courts (389 U. S., p. 437, n. 8). Further, the Supreme Court in *Goldstein v. Cox* (389 U. S. 581) ordered that in light of *Zschernig v. Miller* (*supra*) petitioner's application for the convening of a three Judge Federal District Court to determine the constitutionality of the New York statute be granted. (See, also, *Matter of Lehotzky*, N. Y. L. J., Jan. 29, 1968, p. 18, col. 7, in which the Surrogate of Bronx County held the New York statute unconstitutional under the *Zschernig* case. But see, also, *Matter of Harmoza*, 57 Misc 2d 40.)

will have "benefit or use or control" of them. The funds are also impounded "for the benefit of * * * such person or persons who may thereafter appear to be entitled thereto." Hence, it must be determined whether petitioner, by virtue of his status as judgment creditor of Dvaireh, is a person entitled to the funds.

Funds which are *in custodia legis*, and in which the owner has a present interest, may be attached or garnished for purposes of obtaining jurisdiction (*Dunlop v. Patterson Fire Ins. Co.*, 74 N. Y. 145, 148 [funds deposited in court by defendant as an undertaking on appeal could be attached by a claimant of defendant]; cf. *Commission for Polish Relief v. Banca Nationala a Rumanici*, 288 N. Y. 332, 338, affg. 262 App. Div. 543, 546 [citing the *Dunlop* case and holding that funds of defendant Rumanian bank deposited in New York banks, which could not be transferred or withdrawn under the terms of an Executive Order, could be attached by a resident claimant of the Rumanian bank]; see Ann.—Funds in Court—Garnishment, 1 ALR 3d 936, 944, 945; but see 7 C. J. S. Attachment, § 88, p. 260). In the *Dunlop* and *Polish Relief* cases it was held that the owner of the funds, although not now entitled to receive them, had a sufficient right and interest in the property to enable a claimant to obtain jurisdiction quasi in rem through attachment. Thus, in this matter the Supreme Court had acquired such jurisdiction, and, upon the defendant's default, had the power to enter judgment in favor of petitioner.

Further, although the judgment did not automatically entitle petitioner to satisfaction out of the impounded funds, such satisfaction could be obtained when the purposes of the restraint had been achieved or upon a determination that such satisfaction would no longer interfere with the purposes of the restraint (*First Nat. Bank of Oswego v. Dean*, 97 N. Y. 149, 158-159; *Wehle v. Conner*, 83 N. Y. 231, 236-237; *Hayden v. Dean*, 91 App. Div. 109, 113-114; cf. *Commission for Polish Relief v. Banca Nationala a Rumanici*, 288 N. Y. 332, 338, *supra*).

It is concluded, therefore, that, on the present record and with the present parties, petitioner's judgment is both legally effective and valid, albeit not without restriction as to enforcement out of the impounded funds. The Surrogate might yet order satisfaction from the impounded funds if he first deter-

mined that such satisfaction would not conflict with the provisions or the purposes of the statute.

The statute's primary purpose is to prevent the transmission of funds to a beneficiary in a foreign country where such transmission "might be circumvented by confiscation in whole or in part" (*Matter of Braier*, 305 N. Y. 148, 154, *supra*; L. 1939, ch. 343, bill note, p. 795). This court has held that an assignment by the nonresident owners of the impounded funds is inconsistent with the statutory purpose (*Matter of Geiger*, 7 N Y 2d 109, 112). The court reasoned that the owners had already been determined not to have control over the funds for the time being, and thus were in no position to direct their disposition. However, and this is significant in the context of this case, the court excepted from its holding the possibility of proceedings by the assignee based on a valid claim for compensation for legal services rendered to the nonresident owners in connection with the estate (*supra*; p. 112). Thus, there is no rule completely immunizing the impounded funds from all obligations derived from the distributee. Only those obligations are excluded which rest solely on the voluntary transfer by, or commitment of, the distributee in contradiction of his disability to control the fund.

On the other hand, the fact that the judgment creditor is a New York resident and, therefore, arguably there is no risk that the funds will leave the country, is not conclusive. It is conceivable that a court might find the submission to the default judgment did not result from a "voluntary" acceptance by the distributee of her obligation to her brother or would not result in actual payment to and retention by the brother. The present record contains no evidence of any such situation, but neither does it establish that the default judgment was the result of benefits conferred on the distributee or was even a bona fide gift to her brother.

In short, on the present record, a final disposition would be premature. The Surrogate doubted the *bona fides* of the default judgment, and also held that if Dvairch could not receive the funds herself she could not permit them to be obtained by a creditor. The doubt was based on the papers alone. It is, therefore, necessary that the matter be remanded to enable the Surrogate to hold a hearing and make further findings concerning whether the underlying debt was a genuine one, in the sense

that it was derived from an actual benefit to the distributee on a promise to pay, or was even a bona fide gift, and whether payment therefor to the judgment creditor would be solely for his use or benefit and would not be used directly or indirectly to defeat the purposes of the statute.

This is not to say that the Surrogate could "invalidate" the Supreme Court judgment should he determine that its enforcement out of the funds would not achieve the purposes of the statute. Even assuming he found that the judgment was obtained in an attempt to avoid the statute, and thus could not be enforced against the impounded funds at this time, the judgment would still have legal validity so long as it was not vacated in a direct attack. It could be enforced, for example, against the impounded funds should changed circumstances render such enforcement consonant with the statutory purpose. In addition, if Dvaireh had chosen to appear in the Supreme Court action, resulting in a default judgment in personam rather than quasi in rem, a similar determination by the Surrogate that the impounded funds could not now be used for satisfaction of the judgment would not prevent its satisfaction out of other property belonging to Dvaireh which petitioner might be able to locate. Thus the Surrogate is not being called upon to determine the validity of the judgment, but rather whether satisfaction out of the funds in his care at this time conforms to the purposes of the statute.

Accordingly, the order of the Appellate Division should be reversed and the matter remanded to the Surrogate for a hearing and further findings, with costs to abide the event.

Chief Judge Fuld (dissenting). The determination now being made—which authorizes the Surrogate to withhold release of the decedent's funds (Surrogate's Ct. Act, § 269-a, now SCPA 2218)—seems to me to be violative of the policies enunciated by the Supreme Court in its recent decision in *Zschernig* v. *Miller* (389 U. S. 429, particularly p. 437, n. 8; see, also, *Ioannou* v. *New York*, —— U. S. ——, 36 U. S. Law Week 3463 [decided June 3, 1968]). The majority's conclusion that an assignment by a nonresident owner of impounded funds may be inconsistent with the statutory purpose rests upon the assumption that, "because of the special circumstances in which the beneficiaries

find themselves as domiciliaries in an iron-curtain country, they are in no position presently to assign any part of the funds withheld." (*Matter of Geiger*, 7 N Y 2d 109, 112.) Such an assumption has, to quote from the opinion in *Zschernig* (389 U.S., at p. 441), "a direct impact upon foreign relations" and is beyond the competence of the Surrogate's Court. Accordingly, I would affirm.

Judges BURKE, SCILEPPI, BERGAN and JASEN concur with Judge BREITEL; Chief Judge FULD dissents and votes to affirm in a separate opinion; Judge KEATING dissents and votes to affirm on the opinion at the Appellate Division.

Order reversed and matter remitted to the Surrogate's Court for further proceedings in accordance with the opinion herein, with costs to abide the event.

EXHIBIT 2C

STATE OF NEW YORK,

In Court of Appeals

At a Court of Appeals for the State of New York, held at Court of Appeals Hall in the City of Albany on the Seventeenth day of October A. D. 1968.

PRESENT, HON. STANLEY H. FULD,
Chief Judge, presiding.

Mo. No. 1088

In the Matter of the Petition of Harry Laikind to render and settle his account as Administrator of Sam Leikind, deceased,

Appellant-Respondent,

vs.

Attorney General of the State of New York, pro se,

Respondent-Appellant,

& ors., & c.,

Defendants.

A motion for a reargument of the above cause having heretofore been made upon the part of the appellant-respondent

in the above cause to this Court and papers having been submitted thereon and due deliberation having been thereupon had, it is

ORDERED, that the said motion be and the same hereby is denied.

SEAL OF
STATE OF NEW YORK
COURT OF APPEALS

s/ Gearon Kimball
Deputy Clerk

[redacted]